

Bruce P. Beausejour

Vice President and General Counsel – New England

185 Franklin Street, Room 1403
Boston, MA 02110

Tel (617) 743-2445
Fax (617) 737-0648
bruce.p.beausejour@verizon.com

July 10, 2001

Kenneth W. Salinger, Esq.
Palmer & Dodge, LLP
One Beacon Street
Boston, Massachusetts 02108-3190

Re: D.T.E. 01-20 – Discovery Responses of Verizon MA

Dear Ken:

This is in response to your letter of July 3, 2001, regarding AT&T's dissatisfaction with the responses of Verizon Massachusetts ("Verizon MA") to discovery requests filed in D.T.E. 01-20. As described below, Verizon MA believes that in every case it has made good-faith efforts to provide complete and responsive answers, consistent with the scope of this proceeding and the sheer burden of the number of requests posed in this and other cases before the Department of Telecommunications and Energy (the "Department") and other jurisdictions.

To date, in this proceeding alone, the Company has already responded to 547 requests (many of which with multiple parts) and has provided literally thousands of documents. Although discovery disputes often accompany any litigation, Verizon MA has attempted to avoid such controversies by providing responses, even when it could interpose legitimate objections. In the continuing spirit of cooperation and compromise, we address each of the issues raised in your letter.

1. You have asked for the geographic coordinates of the access tandems listed in response to Information Request ATT 2-6(d). A supplemental response will be provided.
2. In response to Information Request ATT 2-41, Verizon MA indicated that it did not use engineering guidelines for planning and engineering its interoffice fiber ring network. You asked either to confirm that Verizon MA has no planning documents of any kind or to provide any such documents. Verizon MA will supplement the response to confirm that it has no such planning documents and that such plans are prepared on a case-by-case basis.

3. Information Request ATT 2-46 asks Verizon MA to provide the “total investment in the interoffice network estimated by the Verizon cost study.” In its response, Verizon MA explains that the cost study does not estimate total investment, but computes weighted TELRIC costs based on three types of forward-looking IOF constructs. You indicate that the answer is “difficult to understand,” but I believe that the response is both precise and understandable. Since the cost model develops forward-looking costs based on “model” designs and constructs, total investment is not calculated.
4. The response to Information Request ATT 3-1 provides voluminous documentation with regard to contracts for switches in the former Bell Atlantic region. This serves as the basis for the discounts included in the cost studies, and your request to provide information with regard to the former GTE territory would require a time-consuming search for documentation that bears no relation to the study under review. For this reason, Verizon MA continues its objection to the request. Notwithstanding this objection, Verizon MA will file a supplemental proprietary response that will provide access to copies of recent switch contracts for the former GTE territory.
5. Information Request ATT 3-5 asks for engineering guidelines for switches. Relevant excerpts from a July 20, 1998 document were provided and you have asked to confirm that there are no documents that supplement that document or provide guidelines for GR-303 switch ports. Verizon MA will supplement the response to indicate that no additional responsive documents exist.
6. Information Request ATT 4-8 requests that Verizon MA identify wire centers with more than one switch, excluding multiple remotes, and the reason for additional switches. The response refers AT&T to the response to Information Request ATT 2-2, which lists every wire center location. You have requested a supplemental response, which would indicate the location of multiple switches and the reasons for them. Verizon MA will provide a supplemental response.
7. Information Request ATT 4-29 requests access line forecasts used in the cost model and “other line forecasts or trends” used elsewhere in Verizon. Although the response provides all of the information used in the model, your letter complains that Verizon MA did not provide alternative forecasts, not used in this case. Verizon MA objects to conducting an extensive and irrelevant search of all organizations within Verizon to determine if there may be some other forecasts that may have been used by marketing personnel or some other internal purpose. This time-consuming and burdensome search was neither used in conducting the study nor has any relevance to the cost model. Verizon MA used historical trends to forecast growth and an extensive search for documents that may (or may not) exist, but were not relied on in this proceeding, is unduly burdensome and not relevant to this proceeding.

8. Your letter seeks clarification of the term “designed busy-hour minutes of use capacity” referenced in the response to Information Request ATT 4-46. Verizon MA will provide a supplemental response that defines this phrase.
9. Your letter seeks additional information in response to Information Request ATT 10-3 regarding final regulatory decisions on the cost of capital in cases in which Dr. Weide has testified. You indicate that Verizon MA has provided such information in Rhode Island. Verizon MA will provide a supplemental response consistent with the response provided in Rhode Island.
10. In response to Information Requests ATT 14-10, 14-11, 14-14 and 14-15, Verizon MA objected to providing detailed information regarding individual installations contained in the DCPR database upon which EF&I and power factors were developed. The objection was based on the fact that a burdensome special study would be needed to develop this data. In your letter, you question whether providing the information would be burdensome and request that Verizon MA either provide the information or supplement the response with an explanation as to the work that would be required to provide the information. The reason that a burdensome special study would be required is because the DCPR compiles only summary data associated with material price and total installed cost. Accordingly, providing “details” about the installations would require a time-consuming search of paper and electronic documents to identify the individual projects and to develop additional information about those installations.
11. Information Request ATT 14-32 asks for “copies of all materials (plats, network diagrams, demand forecasts, engineering guidelines, maps, etc.) (in both electronic and hard copy format) reviewed or otherwise used by the Verizon MA engineers in conducting the survey of feeder route data.” Verizon MA objected to the request in that it is overly broad and would be unduly burdensome to respond. Your letter requests a supplemental response that would provide the documentation. Verizon MA renews its objection because of the extraordinary breadth of the request and the burden to respond. As you indicated in your letter, the feeder lengths used in the cost study was based on a survey of feeder loop data conducted by Verizon MA engineers. Data that would have been reviewed and/or served as the basis of the survey responses by Verizon MA engineers, include plats, maps, diagrams, etc. of Verizon MA’s outside plant. To produce such documents would require Verizon MA to go back to each of the engineers and have them reconstruct their review and knowledge of the network and identify scores of documents that may have been considered by them in responding to the survey. This undertaking would be enormous and any probative value of the results would be overwhelmed by the burden it would place on Verizon MA to respond.

Kenneth W. Salinger

July 10, 2001

Page 4

I reiterate that Verizon MA has tried to be as responsive as possible in providing relevant information in this proceeding, and in that spirit, we will endeavor to provide the supplemental responses referenced above in the next few days

Sincerely,

Bruce P. Beausejour

cc: Service List (by electronic mail)